

This Indenture, Made this 6th day of December
 in the year of our Lord one thousand eight hundred and fifty nine
 between Lyman Allen and Anna Jeanette Allen his wife
 of Douglas County Kansas of the first part, and Giles B. Hilley
 of Saint Louis of State of Missouri of the second part, Witnesseth
 That the said parties of the first part, for and in consideration of
 the sum of Twenty five hundred dollars the receipt whereof
 is hereby acknowledged, doth give, grant, bargain sell, release
 Convey and Confirm unto the said party of the second part, and
 to his heirs and assigns forever, all the following described land
 Situated in the City of Lawrence Kansas Territory, to wit,
 an undivided one half of Lot No (20) Twenty Mass St and
 an undivided one half of the building Situated on the South
 West corner of said lot and occupied as a Store and Hardware
 Store & tin Shop together with all and singular the hereditaments
 and appurtenances thereunto belonging, or in any
 wise appertaining, both in law and equity.
 This Grant is intended as a Mortgage to secure the
 payment of the sum of Twenty five hundred dollars in six
 months from the date hereof, with interest after date at the rate
 of ten percent per year according to the conditions of a certain
 promissory this day executed and delivered by the said Lyman
 Allen & John Gilmore to the said party of the second part, and this
 conveyance shall be void if such payment be made as herein specified.
 But if default be made in payment or any part thereof, as above
 provided, then it shall be lawful for the said party of the
 second part, his executors, administrators and assigns, at
 any time thereafter, to sell the premises hereby granted
 or any part thereof, in the manner prescribed by law; and
 out of all moneys arising from such sale to retain the amount
 then due for principal and interest, together with the costs and
 charges of making such sale and the attorney's fees for foreclo-
 sure; and the overplus, if any there be, shall be paid by the
 party making such sale, on demand, to the said parties
 of the first part their heirs or assigns.
 In Witness Whereof the parties of the first part have